

INTERNATIONAL SEARCH REPORT

International Application No

PCT/EP2004/011381

A. CLASSIFICATION OF SUBJECT MATTER
 IPC 7 C12N9/12 C07K14/47 C07D209/42

According to International Patent Classification (IPC) or to both national classification and IPC

B. FIELDS SEARCHED

Minimum documentation searched (classification system followed by classification symbols)
 IPC 7 C12N C07K C07D

Documentation searched other than minimum documentation to the extent that such documents are included in the fields searched

Electronic data base consulted during the international search (name of data base and, where practical, search terms used)

EPO-Internal, BIOSIS

C. DOCUMENTS CONSIDERED TO BE RELEVANT

Category	Citation of document, with indication, where appropriate, of the relevant passages	Relevant to claim No.
X	WO 03/031606 A (PANNIFER ANDREW DAVID BRUCE ; PAUPTIT RICHARD ALEXANDER (GB); ROWSE) 17 April 2003 (2003-04-17) the whole document -----	5, 9
X	EYERS PATRICK A ET AL: "A novel mechanism for activation of the protein kinase Aurora A." CURRENT BIOLOGY, vol. 13, no. 8, 15 April 2003 (2003-04-15), pages 691-697, XP002275012 ISSN: 0960-9822 (ISSN print) cited in the application the whole document -----	5
Y	----- -/-	1-4

 Further documents are listed in the continuation of box C. Patent family members are listed in annex.

* Special categories of cited documents :

- *A* document defining the general state of the art which is not considered to be of particular relevance
- *E* earlier document but published on or after the International filing date
- *L* document which may throw doubts on priority claim(s) or which is cited to establish the publication date of another citation or other special reason (as specified)
- *O* document referring to an oral disclosure, use, exhibition or other means
- *P* document published prior to the international filing date but later than the priority date claimed

- *T* later document published after the International filing date or priority date and not in conflict with the application but cited to understand the principle or theory underlying the invention
- *X* document of particular relevance; the claimed invention cannot be considered novel or cannot be considered to involve an inventive step when the document is taken alone
- *Y* document of particular relevance; the claimed invention cannot be considered to involve an inventive step when the document is combined with one or more other such documents, such combination being obvious to a person skilled in the art.
- *&* document member of the same patent family

Date of the actual completion of the international search

7 February 2005

Date of mailing of the international search report

09.06.2005

Name and mailing address of the ISA

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INTERNATIONAL SEARCH REPORT

International Application No

PCT/EP2004/011381

C.(Continuation) DOCUMENTS CONSIDERED TO BE RELEVANT

Category *	Citation of document, with indication, where appropriate, of the relevant passages	Relevant to claim No.
X	KUFER THOMAS A ET AL: "Human TPX2 is required for targeting Aurora-A kinase to the spindle" JOURNAL OF CELL BIOLOGY, vol. 158, no. 4, 19 August 2002 (2002-08-19), pages 617-623, XP002275013 ISSN: 0021-9525 the whole document -----	5
Y	MUELLER U ET AL: "Development of a technology for automation and miniaturization of protein crystallization" BRAUWELT, NUERNBERG, DE, vol. 85, no. 1, 23 January 2001 (2001-01-23), pages 7-14, XP004315104 ISSN: 0168-1656 the whole document -----	1-4
T	BAYLISS RICHARD ET AL: "Structural basis of Aurora-A activation by TPX2 at the mitotic spindle." MOLECULAR CELL, vol. 12, no. 4, October 2003 (2003-10), pages 851-862, XP002275014 ISSN: 1097-2765 (ISSN print) -----	
A	WO 94/03427 A (WARNER LAMBERT CO) 17 February 1994 (1994-02-17) the whole document -----	

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PCT/EP2004/011381

Box II Observations where certain claims were found unsearchable (Continuation of item 2 of first sheet)

This International Search Report has not been established in respect of certain claims under Article 17(2)(a) for the following reasons:

1. Claims Nos.: 6-8
because they relate to subject matter not required to be searched by this Authority, namely:
Rule 39.1(v) PCT – Presentation of information
2. Claims Nos.: 10-12, 33-35
because they relate to parts of the International Application that do not comply with the prescribed requirements to such an extent that no meaningful International Search can be carried out, specifically:
see FURTHER INFORMATION sheet PCT/ISA/210
3. Claims Nos.:
because they are dependent claims and are not drafted in accordance with the second and third sentences of Rule 6.4(a).

Box III Observations where unity of invention is lacking (Continuation of item 3 of first sheet)

This International Searching Authority found multiple inventions in this international application, as follows:

see additional sheet

1. As all required additional search fees were timely paid by the applicant, this International Search Report covers all searchable claims.
2. As all searchable claims could be searched without effort justifying an additional fee, this Authority did not invite payment of any additional fee.
3. As only some of the required additional search fees were timely paid by the applicant, this International Search Report covers only those claims for which fees were paid, specifically claims Nos.:
4. No required additional search fees were timely paid by the applicant. Consequently, this International Search Report is restricted to the invention first mentioned in the claims; it is covered by claims Nos.:
1-12; 33-35 (partially)

Remark on Protest

The additional search fees were accompanied by the applicant's protest.

No protest accompanied the payment of additional search fees.

FURTHER INFORMATION CONTINUED FROM PCT/ISA/ 210

Continuation of Box II.1

Claims Nos.: 6-8

Rule 39.1(v) PCT - Presentation of information

Continuation of Box II.2

Claims Nos.: 10-12, 33-35

Claims 10-12 and 33 (in part) relate to compounds defined as modulators or allosteric inhibitors, which bind to any of a number of residues of Aurora-A. The claims cover all such compounds, whereas the application provides support within the meaning of Article 6 PCT and disclosure within the meaning of Article 5 PCT for no such compounds. In the present case, the claims so lack support, and the application so lacks disclosure, that a meaningful search is impossible. Independent of the above reasoning, the claims also lack clarity (Article 6 PCT) as an attempt is made to define the compounds by reference to a result to be achieved. Again, this lack of clarity in the present case is such as to render a meaningful search impossible.

The same objection applies to claims 34 and 35 (in part), insofar as they relate to uses of the compounds according to claims 10-12.

The applicant's attention is drawn to the fact that claims relating to inventions in respect of which no international search report has been established need not be the subject of an international preliminary examination (Rule 66.1(e) PCT). The applicant is advised that the EPO policy when acting as an International Preliminary Examining Authority is normally not to carry out a preliminary examination on matter which has not been searched. This is the case irrespective of whether or not the claims are amended following receipt of the search report or during any Chapter II procedure. If the application proceeds into the regional phase before the EPO, the applicant is reminded that a search may be carried out during examination before the EPO (see EPO Guideline C-VI, 8.5), should the problems which led to the Article 17(2) declaration be overcome.

FURTHER INFORMATION CONTINUED FROM PCT/ISA/ 210

This International Searching Authority found multiple (groups of) inventions in this international application, as follows:

1. claims: 1-12; 33-35 (partially)

A crystal of phosphorylated Aurora-A kinase complexed with human TPX2

2. claims: 13-32; 33-35 (partially)

Indole and indene derivatives and their uses

INTERNATIONAL SEARCH REPORT

Information on patent family members

International Application No PCT/EP2004/011381

Patent document cited in search report		Publication date		Patent family member(s)		Publication date
WO 03031606	A	17-04-2003	EP	1485472 A2		15-12-2004
			WO	03031606 A2		17-04-2003
			JP	2005504548 T		17-02-2005
WO 9403427	A	17-02-1994	AU	672224 B2		26-09-1996
			AU	4799493 A		03-03-1994
			CA	2140440 A1		17-02-1994
			CZ	9500288 A3		12-06-1996
			EP	0654024 A1		24-05-1995
			HU	71553 A2		28-12-1995
			JP	8503450 T		16-04-1996
			RU	2155187 C2		27-08-2000
			SK	13595 A3		13-09-1995
			WO	9403427 A1		17-02-1994
			US	5464861 A		07-11-1995
			US	5556874 A		17-09-1996